

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

Y. VADIM YUDIN,

Plaintiff,

v.

SALT LAKE CITY SCHOOL DISTRICT,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

Case No. 2:20-cv-00602-JNP-CMR

Judge Jill N. Parrish

Magistrate Judge Cecilia M. Romero issued a Report and Recommendation that the court deny defendant Salt Lake City School District's motion for summary judgment and grant plaintiff Y. Vadim Yudin's motion to amend. Judge Romero notified the parties that a failure to file a timely objection to her recommendation could waive any objections to it. No objection was filed within the allotted time.

Because no party objected to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if "the interests of justice so dictate." *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation, ECF No. 26, is ADOPTED IN FULL.

2. The court DENIES defendant Salt Lake City School District's motion for summary judgment. ECF No. 15.
3. The court GRANTS plaintiff Y. Vadim Yudin's motion to amend. ECF No. 19. The Amended Complaint filed on August 19, 2021 shall be the operative complaint.

DATED August 25, 2021.

BY THE COURT:



JILL N. PARRISH
United States District Judge